

REMARKS

The Office Action dated May 18, 2006, has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claim 1 has been amended. Support for the amendment to claim 1 can be found, inter alia, in Fig. 14. No new matter has been added. Claims 1-5 are pending in this application and are submitted for reconsideration.

Claims 1, 4 and 5 were rejected under 35 U.S.C. §102(e) as being anticipated by Kozu et al. U.S. Patent 6,451,474. Applicants respectfully traverse the rejection and submit that claims 1, 4 and 5 recite subject matter not disclosed by Kozu.

Claim 1, upon which claims 4 and 5 depend, recites a plate shaped battery that includes a wrapping member and an exterior member. The wrapping member has the shape of a wrapper that seals a power generating element generating power. A seal portion is formed with one part of the wrapping member and the other part thereof overlapping with each other on the body of the power generating element. The exterior member has a recess for receiving the seal portion. See, for example, Fig. 14 showing one embodiment of the invention where seal portion 22d is formed by the wrapper 22 at an overlap on the body (approximately the midpoint in this case) of the power generating element 21, and a recess (groove) 72 in the exterior member 71 receives the seal portion 22d.

Kozu fails to disclose such an arrangement. In Kozu, the wrapper forms a seal portion on the body of the power generating element, but there is no description of a recess for receiving the overlapping section. Instead, what is alleged to be the recess is a

“resiliently deformable face 15.” Thus, Applicants submit that Kozu fails to disclose each and every element of claim 1, upon which claims 4 and 5 depend. Applicants therefore request withdrawal of the rejections to claims 1 and 4-5.

Claims 1 and 5 were rejected under 35 U.S.C. §102(e) as being anticipated by Barbier et al. U.S. Patent 6,218,041. Applicants respectfully traverse the rejection and submit that claims 1 and 5 recite subject matter not disclosed by Barbier.

Barbier discloses a battery arrangement that is completely different from the claimed arrangement. An electric cell 5 is fixed to a frame 15, which is then wrapped with two separate wrappers having respective end sections 61 and 65 pinched or overlapped on an outside surface of the frame 15. A pair of side recesses 59 receives the edges. There is no seal portion as claimed in claim 1 of the present invention on the body of the power generating unit and therefore, there is no recess in the exterior member for receiving such a seal portion. Thus, Applicants submit that Barbier fails to disclose each and every element of claim 1, upon which claim 5 depends. Applicants therefore request withdrawal of the rejections to claims 1 and 5.

Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kozu in view of Shiota et al. U.S. Patent 6,703,162. Applicants respectfully traverse the rejection and submit that claims 2 and 3 recite subject matter not disclosed or suggested by the combination of cited prior art.

Kozu fails to disclose each and every element of claim 1, upon which claims 2 and 3 depend. Shiota fails to disclose a battery wrapper forming a seal portion on the body of the

power generating unit and a recess in an exterior member having a recess for receiving the same. Thus, Shiota fails to cure the deficiencies of Kozu. Accordingly, Applicants request that the rejection to claims 2 and 3 be withdrawn.

In view of the foregoing, Applicants submit that claims 1-5 are in condition for allowance. Applicants request withdrawal of all rejections to the claims and that claims 1-5 be allowed, and this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

By



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